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Cote d'Ivoire

Food and Agricultural Import Regulations and Standards

Country Report

2004

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Report Highlights:

Cote d'Ivoire's labeling regulation requires that consumer ready products must have French labeling or a readable translation not in an abridged form. All pesticides have to be approved or have a provisional authorization for sale before importation or manufacture in Cote d'Ivoire. Trademarks and brand names are protected under domestic laws according to the Bangui Agreement. Approved customs clearing agents are exclusively responsible for clearing imported and exported products.

Includes PSD Changes: No
Includes Trade Matrix: No
Annual Report
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Executive Summary

According to Government of Cote d'Ivoire decree no 92-487 of August 26, 1992, concerning labeling and packaging of food products, Cote d'Ivoire's labeling regulation requires that consumer ready products have French language labeling or a readable unabridged translation. This decree is reproduced in official notice No. 2004-004 of March 16, 2004 to importers and exporters. Importers and exporters have until September 2004 to comply fully with this notice. They are to inform their partners who are not current with the law to comply before having contact with Cote d'Ivoire's inspection companies. After September 2004, all imports or sales of goods not in accordance with the regulation will be subject to legal action.

All pesticides have to be approved or have a provisional authorization for sale before importation or manufacture in Cote d'Ivoire. Approval is granted by a decree of the Minister of Agriculture based on the recommendation of the Pesticide Committee, which comprises representatives of several Ministers. Applications for new pesticide approvals should be addressed to the Minister of Agriculture, written in French, using the metric system, describing the toxicity and uses of the product. Cote d'Ivoire does not have maximum residue tolerance levels for pesticides. Since Cote d'Ivoire exports mainly to Europe, levels set by the European Union are used for export crops. However, Cote d'Ivoire accepts CODEX maximum residue limits for imported foodstuffs.

Cote d'Ivoire is one of the fifteen signatories to the Bangui Agreement of March 2, 1977, of West and Central Africa, on the creation of an African Intellectual Property Organization. Trademarks and brand names are protected under domestic laws according to the Bangui Agreement. For each of the member states also party to the Trademark Registration Treaty, the African Intellectual Property Organization serves as the national office. In Cote d'Ivoire, the Industrial Property Office under the Ministry of Industry is the representative office of the organization.

Approved clearing agents designated under Decree 90-663 of August 22, 1990 are exclusively responsible for clearing imported and exported products. Clearing of imported goods takes between 4 days and two weeks depending on the Customs clearance procedure used.

Exchange Rate: U.S.\$1 = 543 F CFA on July 29, 2004.

Labeling Requirements

According to Government of Cote d'Ivoire decree no 92-487 of August 26, 1992, concerning labeling and packaging of food products, Cote d'Ivoire's labeling regulation requires that consumer ready products have French language labeling or in a readable unabridged translation. This decree is reproduced in official notice No. 2004-004 of March 16, 2004 to importers and exporters.

The label should contain the following list: the product's name, the country of origin, manufacturer's name and location, date of manufacture and expiration, net weight or volume using metric system, and list of ingredients in order of importance.

French is the business language in Cote d'Ivoire. French labels are more effective than labels in any other languages.

Importers and exporters have until September 2004 to comply fully with this notice. They are to inform their partners who are not current with the law to comply before having contact with Cote d'Ivoire's inspection companies. Beyond September 2004, all imports or sales of goods not in accordance with this regulation will be subject to legal action.

Local enforcement of labeling regulations is undertaken at all levels from prior to export to retail sale.

Certain foodstuffs are exempted from the requirement for labeling ingredients. These include fruits and vegetables, potatoes and other starchy tubers; mineral water; cheese; butter, milk, enzymes, micro-organisms and salt for cheese manufacture; products of one ingredient; aromatic agents.

Netweight less than 5 grams and 5 milliliters, with exception of spices and aromatic plants, need not be indicated.

Products exempted from date indications include the following: fruits and vegetables; potatoes and other starchy tubers; wine and sparkling wine; drinks of more than 10 degree alcohol; bakery products to be consumed within a day; vinegar, table salt, sugar in solid state; oysters, mussel and other shellfish meant to be consumed fresh.

Pesticides and Other Contaminants

All pesticides have to be approved or have a provisional authorization for sale before importation or manufacture in Cote d'Ivoire.

Considered as pesticides are substances or any association of substances meant to expel, destroy or fight pests, human and animal disease carriers, or undesirable plant and animal species causing damage or showing otherwise harmful effects during production, processing, storage, transport or marketing of foodstuffs, animal products, wood and plant products, and animal feeds. Pesticides are substances that are applied to combat insects, parasites, and other pests.

All plant growth regulators, defoliant, desiccators, thinning reagents for fruits, reagents meant to prevent premature fall of fruits drop, substances applied to fields or crops either before or after harvest to protect products against deterioration during warehousing or transport, are treated as pesticides.

Approval is accorded by a decree of the Minister of Agriculture, based on recommendations of the Pesticide Committee, comprising representatives of the following Ministers: the Minister of Agriculture as President, the Minister of Animal production, the Minister of Water Resources and Forestry, Minister of Health and Population, Minister of Industry, Minister of Scientific Research, Minister of Economic and Finance, Minister of Commerce, Minister of Economic infrastructure, Minister of Defense, and Minister of Interior.

Applications for new pesticide approvals should be addressed to the Minister of Agriculture, written in French, using the metric system, describing the toxicity and uses of the product.

The application should contain the name and address of manufacturing company and distributor of the product; the proposed commercial name of the pesticide (should be different from product names currently in use and not ambiguous); the exact composition in quality and quantity of the product under separate cover with samples; the generic or common name; the chemical and physical identity determined by the active element and its stability during storage; a detailed report on toxicity of the active element and the formulated product (type of toxin, risk and symptoms of poisoning, antidote and possible medical treatment); the general characteristic of the product (insecticide, fungicide); usage, crops to be treated and condition of use; the form of packaging; and a technical description of the package. Different sizes of containers are allowed but sales in bulk are not permitted. Other mandatory information to be included in the application: directions for use; precautions to be taken by the users and contra-indications; timing of use before harvest, forage, slaughtering and product consumption; incompatibility with other pesticides; labeling characteristics including directions for use, manufacturing date, product use and storage conditions; the method of product analysis; the dosage used to determine residues; reports of experiments undertaken by research institutions; copies of decisions of approval in other countries; authorization or restriction of sales in other countries.

The Committee, at such times as it deems necessary, relies on expert advice of research institutions, and internal and overseas laboratories, to evaluate submitted applications. All expenses incurred in these evaluations are borne by the applicant.

After examination of applications, the Committee proposes to the Minister of Agriculture one of the following four decisions: five-year license to be renewed six months before expiration; temporary license for two years awaiting a definite decision; maintain the application under review without authorization for sale; and rejection of application.

No advertisement concerning an unapproved pesticide is allowed. For approved pesticides, advertisements should be limited to the use indicated on the official document. Experimental use of unapproved pesticides is limited to research institutes and laboratories.

Imports of pesticides not yet approved and for experimental use require a prior approval of the Minister of Agriculture.

Establishment of a pesticide factory requires prior approval of the Minister of Industry following consultation with the Minister of Agriculture and Pesticide Committee.

Ivorian pesticide regulations also cover retailers and applicators, which require prior approval of the Minister of Agriculture under the advice of the Pesticide Committee.

Experiments during the pesticide approval process enable the residue level in foodstuffs and other crops to be established. The laboratory, le Laboratoire de l' Ecologie de Korhogo (LABICO), situated in the north of Cote d'Ivoire, is responsible for establishing residue levels.

With the recent unstable political situation, while the north is inaccessible to government officials, a new laboratory, le Laboratoire Nationale d'Apui au Developpement Agricole (LANADA) is being expanded to undertake this responsibility. The Phytosanitary Department of the Ministry of Agriculture (la Direction de la Protection des Vegetaux) is responsible for enforcing regulations on pesticide residues.

Cote d'Ivoire does not have maximum residue tolerances levels for pesticides. Since Ivorian exports go mainly to Europe, Cote d'Ivoire uses levels set by the European Union for export crops. However, CODEX maximum residue limits for imported foodstuffs are accepted.

Information on approved pesticides, including retailers and applicators, is published annually and may be obtained at the following address: MINISTERE D'ETAT, MINISTERE DE L'AGRICULTURE, DIRECTION DE LA PROTECTION DES VEGETAUX, B.P. V 7, ABIDJAN, COTE D'IVOIRE. TELEPHONE – (225) 20 22 84 79; FAX: (225) 20 21 20 32. Requests may be addressed to MR. AKAMOU FATAYE, DIRECTOR OF THE DEPARTMENT OF PHYTOSANITARY REGULATIONS.

Copyright and Trademarks

Cote d'Ivoire is one of fifteen signatories to the Bangui Agreement of March 2, 1977, of West and Central Africa, on the creation of an African Intellectual Property Organization. Trademarks and brand names are protected under domestic laws according to the Bangui Agreement. For each of the member states also party to the Trademark Registration Treaty, the African Intellectual Property Organization serves as the national office. In Cote d'Ivoire, the Industrial Property Office under the Ministry of Industry is the representative office of the organization.

Any person wishing to obtain the registration of a copyright or trademark should apply to the organization or to the Ministry responsible for industrial property, or may send a request by registered mail with a request for acknowledgement of receipt. The application must contain the following documents: Application addressed to the Director General of the Organization; a document proving payment to the organization of the filing fee of about \$750; an unstamped private power of attorney if the applicant is represented by an agent; a reproduction of the copyright or trademark, including a list of the goods or services to which the mark applies.

In addition, proof must be included that the copyright and trademark is registered for one or more classes of goods or for one or more classes of services within the meaning of the Nice Agreement concerning the International Classification of Goods and Services for the purposes of the Registration of Marks.

Import Procedures

Approved customs clearing agents designated under the Decree 90-663 of August 22, 1990 are exclusively responsible for clearing imported and exported products.

The documents required for customs clearance for goods are as follows:

- Final invoice of the goods
- Bill of Lading
- Insurance Certificate
- Goods valued over 500,000 F CFA (\$950) require an inspection certificate of BIVAC (the government approved inspection company)

- Import certificate is required for goods from outside Franc CFA Zone (the state and the Country of Origin must be noted)
- Goods valued over 5 million F CFA (\$9,500)(financial payment certificate is required)
- For imported dairy products, meat and poultry products, an International Sanitary Certificate and an import license from the Ministry of Animal Production are required. Normally, import documents are required to be in French, but documentations in English may be accepted using the International Phytosanitary Form.

When all these documents are with the clearing agent, he fills a Customs declaration form that should include necessary product identification statement for Customs control. He goes with this declaration to the documentation section for Customs formalities.

There are three Customs clearing procedures: the green circuit, the red circuit and the white circuit. The green circuit represents about 80 percent of Customs declarations and authorization to clear goods is granted after document control. This process takes four days to a week. When there is a doubt about the declaration, the Customs agent sends it to the Red Circuit. This procedure requires both a physical and documentary control before an authorization to clear goods is granted. This will take about one and two weeks. The white circuit is a preferential treatment accorded to high priority firms and authorization to clear goods is granted after a simple verification of declaration.

Novel Foods (GMOs)

Cote d'Ivoire has no specific laws or regulations governing imports and sales of agricultural biotechnology products. Such products are only subject to quality control, inspection, and documentation for statistical purposes.

Currently, no special documentation is required for agricultural biotechnology products.

The National Center for Agricultural research (CNRA) conducts field-testing required prior to regulatory approval of a biotech crop.

A packet of information for biotechnology products should include a description of the product, its qualities, how it enhances productivity or otherwise improves the product, and directions or recommendations for usage.

There is currently no specific law or requirement that foods containing biotechnology products be so labeled. Current requirements specify information only on the origin of the product, the content, manufacture and expiration dates. Likewise, there is no current requirement or regulation governing or requiring the use of "Biotech-Free," "GMO-Free," or "Non- GMO" products.

Government Regulatory Agency Contacts:**Pesticide**

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Import Procedures

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Copyright and Trademarks

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Novel Foods (GMOs)

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